

- 1) Plaintiff's recently filed motion for a *temporary restraining order or preliminary injunction* ("TRO") to stay the receivership of his property at 97 Mount Ida Road is simply another attempt to delay the legal proceedings surrounding his condemned property. *See* "procedural history" of City Defendant's *memorandum in support of their motion to dismiss for failure to state a claim*, ECF Doc. No. 23.
- 2) Plaintiff's TRO asserts no facts on which to grant his motion, as it only repeats the allegations contained in the instant case's operative complaint (ECF Doc. 1).

- 3) Plaintiff has no standing to request the TRO because he claims the motion is to prevent the City and its employees from selling African American owned property, however Plaintiff is white.
- 4) Plaintiff is not permitted to represent East Fourth ST, LLC (the sole owner of the Mount Ida property) pro se, and has previously been prohibited from doing so by this court. *See* ECF Doc. 23-3.
- 5) Plaintiff's TRO fails to alert the court that he has previously been warned in USDC of his frivolous filings. *See* ECF doc. 23-4, entry 19. Plaintiff has failed to follow this court order on numerous occasions, and there is a pending request by the City Defendants for an injunction to enter against Plaintiff banning him from filing in USDC without prior permission. *See* ECF doc. 23.
- 6) Pursuant to U.S.C. Article IV, §1, full faith and credit should be given to Judge Murihead's May 25, 2018 order granting a receivership for Plaintiff's Mount Ida property. Plaintiff should not be permitted to circumvent the Housing Court's ruling by simply filing a TRO in USDC.
- 7) Counsel for the City Defendants is leaving the country today, through October 11<sup>th</sup>, and thus requests that if any hearing on the matter be held, it be done so after her return, preferably the week of October 15<sup>th</sup> or later.

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, a copy of this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and mailed to those indicated as non-registered participants, including Pro Se Plaintiff at 8 New Bridge Road, Subdbury, MA 01776.

10/3/18 /s/ Katherine Galle  
Date Katherine Galle

Respectfully submitted,

CITY OF BOSTON, COBURN, WALSH, AND  
CHRISTOPHER

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By their attorneys,

/s/ Katherine Galle

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